

L.E. Carpenter & Company
c/o PolyOne Corporation
33587 Walker Road
Avon Lake, OH 44012

September 3, 2008

Frances M. Zizila
Assistant Regional Counsel
U.S. Environmental Protection Agency
Region II
290 Broadway
New York, New York 10007-1866

Re: Draft Focused RI/FS Administrative Agreement and Order on Consent
L.E. Carpenter Superfund Site, Morris County, New Jersey

Dear Ms. Zizila:

This will respond to your letter dated July 30, 2008 on the above subject, which we received on August 4, 2008.

Initially, please note that we have no record of having received a copy or other notice of an April 18, 2008 letter from the EPA to the NJDEP, outlining plans to transfer the enforcement lead for this Site from NJDEP to the EPA, as cited in your letter. In any event, please be advised of the ongoing actions by L.E. Carpenter directed toward the MW19/HS1 Area and groundwater at the Site, as outlined below, that otherwise would be the subject of the EPA's proposed Focused RI/FS.

L.E. Carpenter, through its consultant, RMT, Inc., has completed its investigation of the MW19/HS1 Area and has on file with the NJDEP a Remedial Action Selection Report (RASR) outlining an approach that RMT believes to be viable. We understand that both the NJDEP and the EPA had agreed that RMT should prepare the RASR in lieu of a focused RI/FS for the MW19/HS1 Area.

With respect to groundwater, RMT submitted to the NJDEP on or about August 24, 2008, a Remedial Investigation Work Plan, which followed upon the NJDEP's approval of RMT's groundwater monitoring plan and well installation earlier this year. These actions followed the successful completion in 2006 of a massive soil excavation and wetlands restoration, as part of the source reduction program approved by the NJDEP and the EPA.

These ongoing actions to address the MW19/HS1 Area and groundwater are the concluding stages of over 22 years of investigation and remediation at the Site under NJDEP lead and EPA approval, in compliance with the 1986 Amended ACO, and at total costs exceeding \$15 million.

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We therefore respectfully request that the EPA reconsider its request that L.E. Carpenter enter into the Administrative Settlement Agreement and Order on Consent, and/or a Focused RI/FS to address the MW19/HS1 Area and groundwater at the Site.

L.E. Carpenter & Company and PolyOne Corporation reserve all of their rights with respect to the matters related to your July 30, 2008 letter and attachments.

Yours truly,

A handwritten signature in dark ink, appearing to read "Richard E. Hahn", written in a cursive style.

Richard E. Hahn
Senior Counsel
